

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
No. 7:15-CV-250-D

BLACKROCK ENGINEERS, INC.,

Plaintiff,

v.

DUKE ENERGY PROGRESS, LLC, and  
AMEC FOSTER WHEELER ENVIRONMENT  
AND INFRASTRUCTURE, INC.,

Defendants.

**ORDER**

On March 28, 2016, AMEC Foster Wheeler Environment and Infrastructure, Inc., moved to dismiss plaintiff's complaint [D.E. 29]. See Fed. R. Civ. P. 12(b)(6). On March 29, 2016, Duke Energy Progress, LLC moved to dismiss plaintiff's complaint [D.E. 31]. On June 6, 2016, plaintiff responded in opposition [D.E. 38, 39].

The court has considered the complaint under the governing standard. See Fed. R. Civ. P. 12(b)(6); Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009); Bell Atl. Corp. v. Twombly, 550 U.S. 544, 564–70 (2007). The motions to dismiss [D.E. 29, 31] are DENIED. Whether plaintiff's claims will survive a motion for summary judgment is an issue for another day.

SO ORDERED. This 23 day of September 2016.

  
JAMES C. DEVER III  
Chief United States District Judge